

LEE et al.
Application No.: 09/754,947
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B¹
antibody forms a complex with the surface array protein but does not form a complex with protein from other *Bacillus* present in the test sample; and
detecting the complex with a labeled second antibody that binds to the complex, wherein the detection of the complex is indicative of the presence of *Bacillus anthracis* in the test sample.

B²
22. (Twice Amended) A kit for detecting the presence or absence of *Bacillus anthracis* in a sample, the kit comprising:
a first antibody that specifically binds to the surface array protein set forth in SEQ ID NO:1 but does not bind to protein from other *Bacillus*; and
a label.

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25. (Twice Amended) The kit of claim 33, wherein the first or second antibody is a recombinant polyclonal antibody.

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26. (Once Amended) The kit of claim 33, wherein the first or second antibody is a monoclonal antibody.

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27. (Twice Amended) The kit of claim 33, wherein the first or second antibody is a mixture of monoclonal and polyclonal antibody preparations.

B⁶
33. (New) The kit of claim 22, wherein the kit further comprises a second antibody which binds the surface array protein as set forth in SEQ ID NO:1.

34. (New) The kit of claim 22, wherein the first antibody is immobilized on a solid support.

REMARKS

1. Status of the claims

Claims 20, 31 and 32 are canceled without prejudice to subsequent revival. Claims 1, 22, 25, 26 and 27 are amended and claims 33-34 are added. Claims 1,

3, 5-16, 19, 21-23, 25-29 and 33-34 are pending and under consideration with entry of this Amendment.

2. *Support for the Amendments*

Support for the amendments to the claims can be found throughout the specification, the drawings, and the claims as originally drafted. No new matter is introduced by the Amendment.

A marked up copy of the amended claims are provided as Appendix A entitled "**VERSION WITH MARKINGS TO SHOW CHANGES MADE.**" As a convenience to the Examiner, a complete set of the claims, as amended herein, is also attached to this Amendment as Appendix B.

3. *Interview*

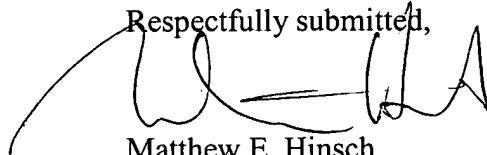
Applicants thank the Examiner for her time in the recent interview. Applicants understand that with entry of this Amendment, the claims are in condition for allowance and that all rejections will be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-7554.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew E. Hinsch', is written over a horizontal line.

Matthew E. Hinsch
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